

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,

No. 2:21-cv-01412-DAD-KJN (PC)

Plaintiff,

v.

G. CHURCH, et al.,

Defendants.

ORDER GRANTING PLAINTIFF'S
REQUEST FOR VOLUNTARY DISMISSAL
OF THIS ACTION PURSUANT TO RULE 41
AND DISMISSING THIS CASE

(Doc. No. 29)

Plaintiff Raymond Alford Bradford is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 21, 2022, the undersigned denied plaintiff's request for reconsideration of an order issued by the assigned magistrate judge and directed plaintiff to file a second amended complaint within thirty (30) days. (Doc. No. 28.) Plaintiff was warned that his failure to do so "may result in dismissal of this action." (*Id.*) To date, plaintiff has not filed a second amended complaint. Instead, on January 12, 2023, plaintiff filed a document in which plaintiff seeks voluntary dismissal of this action, without prejudice, pursuant to Rule 41 of the Federal Rules of Civil Procedure. (Doc. No. 29.)

////

1 Having considered plaintiff's submission and in light of plaintiff's decision to not file a
2 second amended complaint as directed, the court will grant plaintiff's request for voluntary
3 dismissal of this action without prejudice.

4 Accordingly,

5 1. Plaintiff's request for voluntary dismissal of this action, without prejudice, (Doc.
6 No. 29) is granted;
7 2. This action is dismissed without prejudice; and
8 3. The Clerk of the Court is directed to close this case.

9 IT IS SO ORDERED.

10 Dated: January 22, 2023

Dale A. Droyd
11 UNITED STATES DISTRICT JUDGE

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28